

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE <b>J</b>		PAGE OF PAGES <b>1</b>   <b>11</b>	
2. AMENDMENT/MODIFICATION NO. <b>0001</b>		3. EFFECTIVE DATE <b>16-May-2005</b>		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO.(If applicable)	
6. ISSUED BY USA ENGINEER DISTRICT, NEW YORK ATTN:CENAN-CT ROOM 1843 26 FEDERAL PLAZA NEW YORK NY 10278		CODE <b>W912DS</b>		7. ADMINISTERED BY (If other than item 6) OPS-SUPPORT-MGMT SUPPORT 26 FEDERAL PLAZA RM 1934 NEW YORK NY 10278		CODE <b>E3R0205</b>	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				<input checked="" type="checkbox"/> X		9A. AMENDMENT OF SOLICITATION NO. <b>W912DS-05-B-0010</b>	
				<input checked="" type="checkbox"/> X		9B. DATED (SEE ITEM 11) <b>26-Apr-2005</b>	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>							
<input checked="" type="checkbox"/> X The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input checked="" type="checkbox"/> X is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.</b> <b>IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of this amendment 0001 to solicitation W912DS-05-B-0010, is to revise the following items: Labor Wage Rate Decision; Grain Size Analyses, the Paragraph on Permits, and the Bid Opening Date and Time (BOD).  As a result of this amendment, the BOD is changed as follows:  FROM: 26 May 2005 at 2:00 PM. TO: 02 June 2005 at 2:00 PM.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR  _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA  BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED  <b>16-May-2005</b>	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

**SUMMARY OF CHANGES**

SECTION 00010 - SOLICITATION CONTRACT FORM

The required response date/time has changed from 26-May-2005 02:00 PM to 02-Jun-2005 02:00 PM.

SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

The following have been added by full text:

AMENDMENT 0001 CHANGES

**Amendment No. 1**

**IFB No. W912DS-05-B-0010**

**Maintenance Dredging- Arthur Kill Reach of the NY & NJ Channels**

This amendment is issued for the following reasons:

Revise the Wage Rates

Revise the Grain Size Analyses

Revise the paragraph on permits

Revise the Bid Opening Date

**Revise the Wage Rate**

Replace the Wage Rates with the attached Davis -Bacon Act wage decisions NY030001 modification dated 6 May 2005 and NJ030006 modification dated 6 May 2005.

**Grain Size Analyses**

Paragraph 3.b. of Section 1200 shall be revised to read

“ Results of grain size analyses performed on 14 samples collected within the project area are averaged to be 14% sand, 45% silt and 41% clay.”

**Permits**

Paragraph 5.a. of Section 01200 shall be revised to read

“ ....Copies of dredging Water Quality Certificates and CZM consistency determinations are attached in Section 0900. These permits are subject to revision.”

**Revise Bid Opening Date**

The bid opening date has been changed; the revised bid opening date is 2:00 PM, 02 June 2005.

All other terms and conditions remain the same.

**Wage Rates:**

Solicitations affected by the 90-day rule are not listed above: "90-day" rule: 29 CFR 1. 6 ( c ) (3)(iv), as set forth in FAR 22.404-6(b)(6) provides that if a contract to which a general wage determination has been applied is not awarded within 90 days after bid opening, any modification to that wage determination published prior to contract award shall be effective unless the agency obtains an extension of this 90-day period from the Administrator, US Department of Labor

GENERAL DECISION: **NJ20030006 05/06/2005 NJ6**

Date: May 6, 2005

General Decision Number: **NJ20030006 05/06/2005** s 5/9/05

State: New Jersey

Construction Types: Heavy Dredging

Counties: Atlantic, Bergen, Camden, Cape May, Cumberland, Gloucester, Hudson, Mercer, Middlesex, Monmouth, Ocean, Salem and Union Counties in New Jersey.

STATEWIDE

All dredging except self-propelled hopper dredging on the Atlantic Coast and tributary waters emptying into the Atlantic Ocean

Modification Number    Publication Date

0	06/13/2003
1	05/21/2004
2	12/03/2004
3	05/06/2005

\* ENGI0025-001 10/01/2004

## STATEWIDE

	Rates	Fringes
Company Lead Dredgeman		
Lead Dredgeman.....	\$ 28.97	7.80+a+b
Dipper & Clamshell Dredge		
Boat Captain.....	\$ 23.05	7.20+a+b
Boat Master.....	\$ 24.14	7.80+a+b
Deckhand, Tug Deckhand.....	\$ 18.83	6.60+a+b
Engineer.....	\$ 25.37	7.80+a+b
Maintenance Engineer.....	\$ 24.49	7.20+a+b
Mate.....	\$ 22.89	7.20+a+b
Oiler.....	\$ 19.29	6.60+a+b
Operator.....	\$ 28.97	7.80+a+b
Scowman.....	\$ 18.78	6.60+a+b
Welder.....	\$ 24.12	7.20+a+b
Diver		
Diver.....	\$ 41.53	6.87+a+b
Standby Diver.....	\$ 27.85	6.87+a+b
Standby Tender.....	\$ 23.26	6.27+a+b
Tender.....	\$ 32.11	6.87+a+b
Drag Bucket Dredge		
Deckhand.....	\$ 16.17	5.25+a+b
Engineer.....	\$ 21.41	6.45+a+b
Maintenance Engineer.....	\$ 21.21	5.85+a+b
Mate.....	\$ 19.82	5.85+a+b
Operator.....	\$ 25.09	6.45+a+b
Dredging Pipeline Cable-Laying		
Control Tower Operator.....	\$ 25.55	6.87+a+b
Diver Tender.....	\$ 26.58	6.87+a+b
Diver.....	\$ 42.42	6.87+a+b
Leverman.....	\$ 28.83	6.87+a+b
Line up Operator, End Prep..	\$ 18.47	5.67+a+b
Rigger.....	\$ 19.07	5.67+a+b
Drill Boats		
Blaster.....	\$ 23.81	6.45+a+b
Core Driller.....	\$ 19.00	5.25+a+b
Driller.....	\$ 23.55	6.45+a+b
Engineer.....	\$ 23.54	6.45+a+b
Machinist.....	\$ 23.30	5.85+a+b
Oiler.....	\$ 20.46	5.25+a+b
Tug Captain.....	\$ 19.53	5.85+a+b
Tug Deckhand.....	\$ 15.97	5.25+a+b
Tug Master.....	\$ 20.48	6.45+a+b
Welder.....	\$ 23.30	5.85+a+b
Engineer		
1st.....	\$ 25.55	6.87+a+b
2nd, 3rd and 4th.....	\$ 25.23	6.87+a+b
Electrician.....	\$ 25.68	6.87+a+b
Electro Hydro Technician....	\$ 20.79	6.27+a+b
Tug Captain.....	\$ 23.44	6.87+a+b
Tug Master.....	\$ 26.80	6.87+a+b
Hydraulic Dredge		

Asst. Fill Placer.....	\$ 22.70	7.80+a+b
Boat Captain.....	\$ 23.05	7.20+a+b
Boat Master.....	\$ 24.13	7.80+a+b
Chief Mate.....	\$ 24.72	7.80+a+b
Chief Welder.....	\$ 25.38	7.80+a+b
Deckhand.....	\$ 19.23	6.60+a+b
Engineer.....	\$ 24.82	7.80+a+b
Fill Placer.....	\$ 24.72	7.80+a+b
Janitor/Porter.....	\$ 18.39	6.60+a+b
Leverman.....	\$ 28.97	7.80+a+b
Maintenance Engineer.....	\$ 24.49	7.20+a+b
Mate.....	\$ 22.89	7.20+a+b
Messman.....	\$ 18.39	6.60+a+b
Night Cook.....	\$ 18.90	6.60+a+b
Oiler.....	\$ 19.29	6.60+a+b
Shoreman.....	\$ 18.80	6.60+a+b
Spider Barge Operator.....	\$ 23.91	7.20+a+b
Steward.....	\$ 22.84	7.80+a+b
Welder-Dredge.....	\$ 24.11	7.20+a+b
Tug Boats over 1000 H.P. with master or captain having license endorsed for 200 miles off shore		
Tug Captain.....	\$ 24.59	7.80+a+b
Tug Chief Engineer.....	\$ 23.85	7.20+a+b
Tug Deckhand.....	\$ 19.23	6.60+a+b
Tug Engineer.....	\$ 23.38	7.20+a+b

PREMIUMS: Additional 20% for hazardous material work

#### FOOTNOTES APPLICABLE TO ABOVE CRAFTS:

a. PAID HOLIDAYS: New Year's Day, Martin Luther King, Jr.'s Birthday, Memorial Day, Good Friday, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day

b. VACATION: Seven percent (7%) of the straight time rate multiplied by the total hours worked.

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and

fringe benefit  
rates. Other designations indicate unions whose rates have  
been determined  
to be prevailing.

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#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can  
be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on  
a wage  
determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests  
for summaries  
of surveys, should be with the Wage and Hour Regional Office  
for the area in  
which the survey was conducted because those Regional Offices  
have  
responsibility for the Davis -Bacon survey program. If the  
response from this  
initial contact is not satisfactory, then the process described  
in 2.) and  
3.) should be followed.

With regard to any other matter not yet ripe for the formal  
process  
described here, initial contact should be with the Branch of  
Construction  
Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an  
interested party  
(those affected by the action) can request review and  
reconsideration from  
the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR  
Part 7).  
Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

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General Decision Number: **NY030001 05/06/2005** NY1

Superseded General Decision Number: NY020001 sg 5/9/05

State: New York

Construction Types: Heavy Dredging

Counties: New York Statewide.  
STATEWIDE

New York

All dredging, except self-propelled hopper dredges, on the Atlantic Coast and tributary waters emptying into the Atlantic Ocean.

Modification Number    Publication Date

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\* ENGI0025-001 10/01/2004

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Rates      Fringes

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Dipper & Clamshell Dredge

Boat Captain.....\$ 23.05      7.20+a+b

Boat Master.....\$ 24.14      7.80+a+b

Deckhand, Tug Deckhand.....\$ 18.83      6.60+a+b

Engineer.....\$ 25.37      7.80+a+b

Maintenance Engineer.....\$ 24.49      7.20+a+b

Mate.....\$ 22.89      7.20+a+b

Oiler.....\$ 19.29      6.60+a+b

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END OF GENERAL DECISION

\*\*\*\*\*

(End of Summary of Changes)